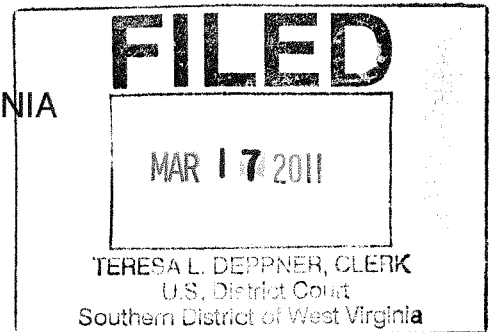


UNITED STATE DISTRICT COURT
for the
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON



United States of America,
Plaintiff,

v

Case No. 2:10-cv-1087

\$88,029.08
Defendant.

(Katherine A. Hoover and
John F. Tomasic,
No federal criminal charges pending)

MOTION TO STRIKE UNITED STATES RESPONSE TO
"MOTION TO SET ASIDE DEFAULT JUDGMENT"

Now come John F. Tomasic and Katherine A. Hoover MD, pro se, and request that the United States Response be struck from the record. John F. Tomasic and Katherine A. Hoover have filed meritorious motions that requires that the \$88,029.08 be returned to us.

The United States claims that no verified responses were filed against the first In Rem, Docket number 3, but the United States filed a response to the verified responses using imaginary math. Therefore, the United States admitted that there were verified responses filed to the first In Rem.

The United States then filed a second In Rem at docket number 22 on November 23, 2010 on the very same money. No certificate of service was sent to John F. Tomasic or Katherine A. Hoover. If the United States expects a response to the second In Rem, the United States must file proper notice.

The Memorandum of Law filed by the United States is slanderous towards John F. Tomasic. The letter sent by Mr. Tomasic to his daughter Kathy Busse is not relevant to the current proceeding and contains no threats. The part of the letter quoted by the United States refers to a letter sent a year ago by his daughter Marianne Tomasic to Katherine A. Hoover MD. The lawsuit settlement was paid to seven different parties, Kathy Busse and Marianne Tomasic, being two of the parties. Ms. Marianne Tomasic wrote that she thought she should have received


more of the settlement; this did no refer to the check deposited in WesBanco Account xxxx7905. The withdrawal letter filed by Ms. Margaret Lupher was never sent to John F. Tomasic or Katherine A. Hoover MD. Ms. Lupher claim of a threat is a lie.

The act of denying the existence of 801(a)(3)(C) by Ms. Pullin and Ms. Stanley is treasonous because they denied the existence of the enabling legislation to treaties that protect the rights of doctors and their patients.

Wherefore, the United States Response to "Motion to Set Aside Default Judgment" should be struck and all money returned to John F. Tomasic and Katherine A. Hoover MD with damages.

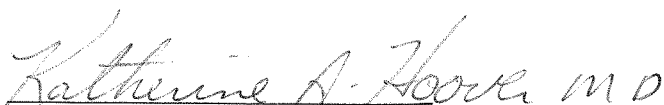
Respectfully submitted,


John F. Tomasic


Katherine A. Hoover MD

CERTIFICATE OF SERVICE

I, Katherine A. Hoover MD, do hereby certify that a true and correct copy of the foregoing MOTION TO STRIKE UNITED STATES RESPONSE TO "MOTION TO SET ASIDE DEFAULT JUDGMENT" has been fedexed to Ms. Betty Pullin, United States Attorney's office for the Southern District of West Virginia 300 Virginia St. East Suite 4000 Charleston, W.Va. 25301 on March 16, 2010.


Katherine A. Hoover MD
c/o Dr. Norman Gay
N-3222
West Bay Street
Nassau, N.P., Bahamas
242-525-4018



COMMERCIAL INVOICE LABEL

DELIVERY RECORD LABEL

DELIVERY REATTEMPT LABEL

FedEx Tracking Number 8728 9955 2878		Form ID No. 0400	
4 Express Package Service		Packages up to 150 lbs. / 68 kg For packages over 50 lbs. (22.7 kg), use the FedEx Express Service Mail, or freight.	
1 <input checked="" type="checkbox"/> FedEx Int'l. Priority		6 <input type="checkbox"/> FedEx Int'l. First Available to select locations.	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		3 <input type="checkbox"/> FedEx Int'l. Economy FedEx Envelope and FedEx Pak and flat envelopes	
5 Packaging		*These unique brown boxes with special pricing are provided by FedEx for FedEx Int'l. Priority only.	
6 <input type="checkbox"/> FedEx Envelope		2 <input checked="" type="checkbox"/> FedEx Pak	
1 <input type="checkbox"/> Other		PW <input type="checkbox"/> FedEx 10kg Box* PX <input type="checkbox"/> FedEx 25kg Box*	
6 Special Handling		1 <input type="checkbox"/> HOLD at FedEx Location 3 <input type="checkbox"/> SATURDAY Delivery Available to select locations for FedEx Int'l. Priority only.	
7 Payment		Complete payment options for both transportation charges and duties and taxes.	
Bill transportation charges to:		Enter FedEx Acct. No. or Credit Card No. below:	
1 <input type="checkbox"/> Sender Acct. No. in Section 1 will be billed.		<input type="checkbox"/> Third Party <input type="checkbox"/> Credit Card <input type="checkbox"/> Cash	
2 <input type="checkbox"/> Recipient 3 <input type="checkbox"/> Third Party		4 <input type="checkbox"/> Credit Card 5 <input type="checkbox"/> Cash	
FedEx Acct. No. [REDACTED]		Total Transportation [REDACTED]	
Credit Card Exp. Date [REDACTED]		Special handling [REDACTED]	
Bill duties and taxes to:		All shipments may be subject to Customs clearance, which FedEx does not estimate prior to shipment.	
1 <input type="checkbox"/> Sender Acct. No. in Section 1 will be billed.		<input type="checkbox"/> Third Party <input type="checkbox"/> Cash	
2 <input type="checkbox"/> Recipient 3 <input type="checkbox"/> Third Party		5 <input type="checkbox"/> Check/Cheque	
FedEx Acct. No. [REDACTED]			
8 Your Internal Billing Reference		First 24 characters will appear on invoice.	
<hr/>			
9 Required Signature			
Use this Air Waybill constitutes your agreement to the Conditions of Contract on the back of this Air Waybill, and you represent that this shipment does not require a U.S. State Department License or contain dangerous goods. Certain international treaties, including the Warsaw Convention, may apply to this shipment and limit our liability for damage, loss, or delay, as described in the Conditions of Contract. WARNING: These commodities, technology, or software were exported from the United States in accordance with Export Administration Regulations. Diversion contrary to U.S. law prohibited.			
Sender's Signature: <i>[Signature]</i>			
This is not authorization to deliver this shipment without a recipient signature.			
Received above shipment in good order and condition. We agree to pay all charges. Unpaid Customs duties and taxes as applicable, and we agree to the Conditions of Contract as stated on the reverse side of the Recipient's Copy.			
Recipient's Signature: _____			
Origin Sender ID 123456789		Country Code/Destination Station ID US01	
Received At: 1 <input type="checkbox"/> Reg. Stop 2 <input type="checkbox"/> On-Call Stop 3 <input type="checkbox"/> Drop Box 4 <input type="checkbox"/> Work		UNSA Routing 0000	
Base Charges 123.45		Declared Val. Chrg. 0.00	
Fuel Surch. 10.00		Other 0.00	
Total 133.45		Del. Counter 0.00	
Recd. Date 08/28/01		Del. Date 08/28/01	
Recd. Time 10:00		Del. Time 10:00	
Recd. Signature <i>[Signature]</i>		Del. Signature <i>[Signature]</i>	
Recd. Stamp 08/28/01 10:00		Del. Stamp 08/28/01 10:00	

Not all services and options are available to all destinations. Dangerous goods cannot be shipped using this Air Waybill.

THE
NEW
YORK
PUBLIC
LIBRARY

PART 158410
Rev. Date 11/08
©1994-2008 FedEx
PRINTED IN U.S.A. RRD
Form
ID No.

568

Non-Negotiable International Air Waybill • ©1994-2008 FedEx

03/10

RRDA